REMARKS

The present amendment is responsive to the Office Action mailed in the above-referenced case on May 07, 2002. In the Office Action claims 6-9, and 14-16 are presented for examination. Claims 6-7 and 14-16 are rejected under 35 U.S.C. § 102(e) as being anticipated by Ginsberg (US 6064730) hereinafter Ginsberg. Claims 8-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ginsberg in view of Bateman (US 5884032) hereinafter Bateman. Claims 6-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Andrews (US 5848143) hereinafter Andrews in view of Gottlieb (US 5920621) hereinafter Gottlieb, and further in view of Lindeberg et al. (US 6049479) hereinafter Lindeburg. Finally, Claims 14-16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Andrews.

Applicant has studied the prior art provided by the Examiner in detail, and the Examiner's remarks in rejection of the claims and in the "Response to Arguments" portion of the Office Letter.

In response, the applicant herein rebuts the reasoning provided in the "Response to Arguments" portion of the Office Letter. Applicant asserts additional arguments and clear reasoning which distinguish unarguably over the newly presented art of Ginsberg and Bateman.

In the "Response to Arguments" portion of the present Office Letter the Examiner states that in the last Amendment filed by applicant included an argument stating that the art of Andrews does not teach an SCP in the Internet as claimed. Applicant respectfully points out that applicant argued that all of the art provided by the Examiner fails to disclose an SCP in the Internet. SCP's as known in the telephony art are computerized service control points that provide central routing intelligence.

The Examiner responds to this argument in the "Response to Arguments" portion of the Office Letter by stating that Andrews discloses in Fig. 9, an Internet caller "412 multimedia" for initiating an Internet call and a controller (Fig. 2 and 6, Routing Engine Ref 48 and database, Ref 52 and 54) includes a routing engine coupling to a database for routing the Internet call to the agent computer (Col. 11, lines 39 to col. 13 line 8).

Applicant strongly argues that the Examiner did not reference any portion of Andrews which discloses an SCP **at the Internet level as claimed**. Applicant's independent claims clearly recite an SCP at the Internet level. Figure 9 of Andrews does include the Internet 408, but does not describe or teach any components controlled by the controllers 30A' and 30B' actually residing in the Internet as claimed. Applicant believes the Examiner's response to the above argument is not adequate to overcome the argument. The Examiner continues to state in the "Response to Argument" portion of the Office Letter that applicant argues that the combination of Andrews in view of Lindeberg or Gottlieb fails because there is no SCP which <u>couples</u> to the Internet. Again, applicant must respectfully point out that, in fact, applicant argued that Gottlieb and Lindeberg do not teach a SCP in the Internet or capable of working in the Internet. Applicant did not argue "coupled". Andrews also fails to teach an SCP in the Internet. Therefore, the combination of Andrews, Gottlieb and Lindeberg fails.

Applicant argues that the claims as recited in applicant's invention do not recite an SCP coupled to the Internet. **<u>Applicant's claims clearly recite that the SCP is in the Internet. The SCP's as taught in Lindeberg and Gottlieb are not Internet protocol capable.</u>** Applicant argues that SCP's in the Internet are not known in the art. Therefore, there is no motivation to make the combination of Andrews with Gottlieb or Lindeberg. The only suggestion or motivation to place intelligent routing in the Internet by actually

having a physical SCP in the Internet is only suggested in applicant's invention.

Obviousness cannot be established by combining the teaching of the combined art to produce the claimed invention, absent some teaching or suggestion supporting the combination. Under section 103, teachings of references can be combined only if there is some suggestion or incentive to do so found in the art or notoriously well known in the art. **Applicant argues that the only motivation provided for the combination is derived from applicant's claimed invention.**

The combined art could not produce applicant's claimed invention as argued above. The Examiner's statement that when Gottlieb and/or Lindeberg's SCP are used in Andrews's Internet telephony system, the SCP would then route Internet telephony calls in addition to regular telephone calls is simply not so. There is no enabling disclosure in Gottlieb or Lindeberg teaching that the SCP can route IPNT calls, or communicate with a router in any IPNT call center. Further, there is no enabling disclosure in the art of Andrews to teach the connection, or communication between the routing server 480 and a SCP in the Internet 408.

Applicant strongly argues that because the Examiner has not provided valid art showing a SCP in the Internet the obvious rejection fails. Applicant asserts that at the time of filing the present application service control points did not exist in the Internet. Internet routing nodes known in the art are simply not capable of doing skill based routing. These nodes are limited to using routing tables only. Applicant's invention provides a new and innovative approach to IPNT call routing wherein a SCP in the Internet has access to specific information from an IPNT capable call center to intelligently route IPNT calls at the data network level.

Applicant believes claim 6 is clearly patentable over the 103 rejection presented by the Examiner. Claims 7-9 are patentable at least as depended from a patentable claim.

Claim 6 is also rejected as being anticipated by Ginsberg. The Examiner states that Ginsberg discloses (Fig. 1-5 and Col. 1, lines 17 to Col. 6, line 8) an Internet Protocol Network Telephony (IPNT) call-routing system for routing incoming IPNT calls to at least one agent station in an IPNT capable call center (Fig. 2, Ref 375 is an agent workstation at a center), comprising an initial call processing system in the Internet receiving IPNT calls from customers in the Internet (Fig 2 Ref 275 is a customer for making an Internet call to a call routing system; See Col. 3, lines 7-27), and including a SCP processor routing the incoming IPNT calls to selected agent addresses at the at least one call center (Fig. 2 Ref 275 is a call service and routing for selecting an address of an agent for routing a call; See Col. 4 lines 1-37).

Applicant argues that Ginsberg also fails to teach an SCP at the Internet level. All of the components used to route communications from customers to agents reside at the call center of Ginsberg. Column 3 lines 10-27 of Ginsberg clearly teaches that a customer contacts the call center of Ginsberg from a computer/display device 175, which the customer uses to establish communication to the desired organization. Once contact is made with the desired organization the organizations dynamic graphical interactive display server 200 provides the customer with a graphical display of the call center's available services. Applicant argues that the server 200 and the control and signaling module 275 are at the call center of Ginsberg. Ginsberg fails to teach a SCP in the Internet as claimed.

Applicant believes claim 6 is easily patentable over the art of Ginsberg. Applicant believes the Examiner has clearly misinterpreted the art of Ginsberg. Claims 7-9 are patentable on their own merits, or at least as depended from a patentable claim.

Applicant's invention expands on a relatively recent development in telephony art in what is known as Internet Protocol Network Telephony (IPNT), wherein conventional telephone calls are simulated between

computers over the data network known as the Internet, using microphones and speakers operating with the computers and a graphical user interface operable on each connected computer. At the time of the present patent application such data networks are considered largely "dumb" networks rather than intelligent networks, although some routing is done. Calls are routed in the Internet, for example, by IP addresses, and IP switches and hubs are capable of altering the destination of data packets by controlling IP addresses.

Claim 14 recites a connection between an Internet routing server in the Internet and a database at the customer premises storing processed information about transactions in the call center, including at least one of call volume, agent status, or agent skills at the remote IPNT call center. As argued on behalf of claim 6 above, the prior art simply fails to provide this type of Intelligent routing at the Internet network level.

Applicant believes claim 14 is patentable over the prior art provided by the Examiner. Claim 15 is patentable at least as depended from a patentable claim.

Claim 16 is applicant's method claim associated with base claim 14. Claim 16 clearly recites a CTI processor having a connection to a database in the Internet wherein the routing processor in the Internet uses the information in the database to perform intelligent routing for incoming IPNT calls.

As previously argued on behalf of claim 6 and 14 above, the prior art does not specifically teach any connections to routing processors, servers or nodes, in the Internet enabling intelligent routing of the incoming IPNT calls. Applicant believes this aspect is inventive and certainly not anticipated by Ginsberg, nor is a combination of the art suggested in the art of Andrews, Gottlieb or Lindeberg. Therefore, claim 16 is also patentable over the prior art presented by the Examiner.

As all of the claims presented by the applicant have been shown to be patentable over the prior art in this case, applicant respectfully requests reconsideration to allow the claims, and the case passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Version With Markings to Show Changes Made

There are no changes made to the claims or the specification in the present Amendment.

Respectfully Submitted,
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by_____

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